## FILED

12/06/2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 16-0225

## IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 16-0225

FILED

DEC 06 2016

RANDALL LOWELL STONE,

Petitioner and Appellant,

Ed Smith
SLERK OF THE SUPREME COURT
STATE OF MONTANA

v.

ORDER

STATE OF MONTANA,

Respondent and Appellee.

On October 28, 2016, the District Court record was filed for purposes of this appeal. Nothing further has been filed, and the opening brief is now overdue.

THEREFORE,

IT IS ORDERED that Appellant shall prepare, file and serve the opening brief on appeal within 30 days of the date of this Order. Failure to file the brief within that time will result in dismissal of this appeal with prejudice and without further notice.

The Clerk is directed to provide copies of this order to all counsel of record.

DATED this day of December, 2016.

For the Court.

Chief Justice